

**CONOCOPHILLIPS COMPANY'S SUPPLEMENTAL RESPONSES  
ON BEHALF OF PHILLIPS PETROLEUM COMPANY  
REGARDING THE LINNTON TERMINAL  
TO  
U.S. EPA'S JANUARY 18, 2008  
CERCLA SECTION 104(e) INFORMATION REQUESTS  
Portland Harbor Superfund Site  
Portland, Oregon**

**GENERAL STATEMENT**

ConocoPhillips Company ("ConocoPhillips") previously responded to EPA's January 18, 2008 CERCLA Section 104(e) Information Requests (the "Requests"). EPA issued four separate 104(e) Requests to ConocoPhillips with respect to different corporate entities. On June 13, 2008, ConocoPhillips submitted its response on behalf of Douglas Oil Company with respect to the asphalt plant and pier located at 5500 N.W. Front Avenue and/or 5700 N.W. Front Avenue in the City of Portland, Multnomah County, Oregon. On August 18, 2008, ConocoPhillips submitted its response on behalf of Phillips Petroleum Company, TOSCO Corporation, and certain assets of 76 Products Company with respect to a terminal located at 5528 N.W. Doane Avenue in the City of Portland, Multnomah County, Oregon.

ConocoPhillips has subsequently learned that certain other parties included in their responses to the Requests information indicating that certain predecessors-in-interest to ConocoPhillips may have owned or operated Linnton Terminal, which is located within the Portland Harbor Investigation Area, for certain periods of time, the most recent of which was more than thirty years ago. ConocoPhillips did not include information relating to Linnton Terminal in its prior responses because the information was not in its possession at the time it prepared its responses, and those preparing the responses did not know and had no reason to know that ConocoPhillips had ever had any connection with Linnton Terminal. As stated in the previous responses to the requests, ConocoPhillips personnel conducted a diligent investigation when preparing the previous responses, and did so again upon learning of a predecessor-in-interest's prior tenure at Linnton Terminal. These investigations included thorough searches of ConocoPhillips' records and interviews with employees that may have had knowledge of the Linnton Terminal. No documents about this prior Linnton Terminal tenure were discovered within the possession or control of ConocoPhillips.

ConocoPhillips hereby submits its Supplemental Responses to the Requests with specific reference to Linnton Terminal. The responses that follow supplement ConocoPhillips' previous responses. These Supplemental Responses are based entirely upon the review of public records and the review of the responses to the Requests submitted by third parties. Some of the latter include documents that appear to have been prepared by Phillips Petroleum Company. As noted above, ConocoPhillips does not have any of these records relating to Linnton Terminal in its possession or control. They may have been discovered at the Linnton Terminal facility itself, which is now owned by a third party. None of these documents are being produced with these Supplemental Responses. While they may be responsive to the Requests, ConocoPhillips cannot

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vouch for their authenticity, as they were not discovered nor maintained within its possession or control. Moreover, ConocoPhillips understands that all of these documents were submitted to EPA by third parties and thus are now in EPA's possession; there is no need for duplicate copies to be submitted. ConocoPhillips also reserves the right to challenge the authenticity and veracity of any of these documents submitted by third parties.

### **GENERAL OBJECTIONS**

ConocoPhillips asserts the following general privileges, protections and objections with respect to the Requests and each information request therein.

1. ConocoPhillips asserts all privileges and protections it has in regard to the documents and other information sought by EPA, including the attorney-client privilege, the attorney work product doctrine, all privileges and protections related to materials generated in anticipation of litigation, the settlement communication protection, the confidential business information ("CBI") and trade secret protections, and any other privilege or protection available to it under law. In the event that a privileged or protected document has been inadvertently included among the documents produced in response to the Requests, ConocoPhillips asks that any such document be returned to ConocoPhillips immediately and here states for the record that it is not thereby waiving any available privilege or protection as to any such document.
2. In the event that a document containing CBI or trade secrets has been inadvertently included among the numerous documents provided in response to the Requests, ConocoPhillips asks that any such documents be returned to ConocoPhillips immediately so that ConocoPhillips may resubmit the document in accordance with the applicable requirements for the submission of Confidential Information.
3. ConocoPhillips objects to the Requests to the extent that they purport to require ConocoPhillips to seek and collect information and documents in the possession, custody or control of individuals not within the custody or control of ConocoPhillips. EPA lacks the authority to require ConocoPhillips to seek information not in its possession, custody or control.
4. ConocoPhillips objects to the Requests' definition of "document" or "documents" in Definition 3 to the extent it extends to documents not in ConocoPhillips' possession, custody, or control.
5. ConocoPhillips objects to the definition of "identify" in Definition 4 to the extent that it encompasses home addresses of natural persons. Subject to this objection, current ConocoPhillips employees and any other natural persons are identified by name and corporate address. ConocoPhillips requests that any contacts with ConocoPhillips employees identified in these responses or the related documents be initiated through Paul Hamada, Senior Counsel.
6. ConocoPhillips objects to the definition of "you" and "Respondent" in Definition 1 because the terms are overbroad and it is not possible for ConocoPhillips to answer questions on behalf of all the persons and entities identified therein. Notwithstanding this objection, and without waiving it, ConocoPhillips has undertaken a diligent and good faith effort to locate and

furnish documents and information in its possession, custody, and control that are responsive to the Requests. In addition, as explained above and demonstrated by this Supplemental Response, ConocoPhillips renewed these good faith efforts after learning of additional information.

7. ConocoPhillips objects to EPA's requests that ConocoPhillips provide EPA separately information that is contained in documents being furnished by ConocoPhillips in response to the Requests. Where documents have been provided in connection with a response, information sought by EPA in the corresponding request for information that is set forth in those documents is not furnished separately. To do otherwise would be unduly burdensome.

## **SUPPLEMENTAL RESPONSES REGARDING THE LINNTON TERMINAL TO EPA'S JANUARY 18, 2008 INFORMATION REQUESTS**

In accordance with EPA's request, these Supplemental Responses are framed in accordance with EPA's template for responses to the Requests. With respect to those information requests for which ConocoPhillips does not have a supplemental response, these Supplemental Responses do not duplicate ConocoPhillips' previous responses. Subject to the objections set forth above as well as those noted in ConocoPhillips' previous responses, ConocoPhillips submits the following Supplemental Responses to the Requests:

### **Section 1.0 Respondent Information**

- 1. Provide the full legal, registered name and mailing address of Respondent.**

#### **Supplemental Response**

ConocoPhillips Company  
600 North Dairy Ashford  
Houston, Texas 77079

- 2. For each person answering these questions on behalf of Respondent, provide:**
  - a. full name;**
  - b. title;**
  - c. business address; and**
  - d. business telephone number, electronic mail address, and FAX machine number.**

#### **Supplemental Response**

ConocoPhillips requests that any contact with the persons listed below be made through Paul Hamada, Senior Counsel.

Ann Anderson  
Consultant, Claims  
Risk Management & Remediation (RM&R)  
ConocoPhillips Company  
1664-02 Phillips Building  
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ConocoPhillips Company  
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281-293-3700 (fax)

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281-293-3700 (fax)

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Contractor, Legal  
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281-293-3700 (fax)

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Site Manager  
Risk Management & Remediation (RM&R)  
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918-661-0935  
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Portland Terminal  
ConocoPhillips Pipe Line Company

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Real Property Administration  
ConocoPhillips Company  
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918-661-1585  
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Real Property Administration  
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[Larry.Silva@conocophillips.com](mailto:Larry.Silva@conocophillips.com)  
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Richard Solomon  
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Risk Management & Remediation – Western Region  
ConocoPhillips Company  
3900 Kilroy Airport Way, Suite 210  
Long Beach, CA 90806  
[Rich.solomon@conocophillips.com](mailto:Rich.solomon@conocophillips.com)  
562-290-1551

3. **If Respondent wishes to designate an individual for all future correspondence concerning this Site, please indicate here by providing that individual's name, address, telephone number, fax number, and, if available, electronic mail address.**

**Supplemental Response**

Please direct all future correspondence and communications regarding this Site to Paul Hamada, Senior Counsel, Legal. (See response to Question 2 above.)

**Section 2.0 Owner/Operator Information**

4. **Identify each and every Property that Respondent currently owns, leases, operates on, or otherwise is affiliated or historically has owned, leased, operated on, or otherwise been affiliated with within the Investigation Area during the period of investigation (1937 – Present). Please note that this question includes any aquatic lands owned or leased by Respondent.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information that contain information related to the Linnton Terminal only.

The Linnton Terminal was originally built by San Francisco-based Associated Oil Company in 1903, which continued to own and operate it until 1937. In 1937, Tidewater Oil Company

purchased the Site from Associated Oil. Tidewater officially merged with Associated Oil Company in 1938. In 1966, Phillips Petroleum Company purchased the Linnton Terminal from Tidewater as part of the purchase of all of Tidewater's western refining, distribution and retailing network. Soon thereafter, the U.S. Department of Justice filed an antitrust suit to dissolve the transaction. After years of litigation, a U.S. District Court in Los Angeles ordered Phillips to divest the Tidewater assets, and in 1974, the U.S. Supreme Court affirmed the judgment of the district court. Two years later, Phillips accordingly sold most of its West Coast properties to TOSCO (formerly known as The Oil Shale Company).

It appears that in early 1976, Phillips transferred the Linnton Terminal to TOSCO as part of the sale of its West Coast properties, and that TOSCO almost immediately transferred it to GATX. A grant deed between Phillips and TOSCO indicates that the Linnton Terminal was transferred on February 2, 1976. There may be some discrepancy as to the exact date, nevertheless, it is clear that by the end of 1976 GATX owned the Site.

Kinder Morgan Energy Partners LP acquired GATX on January 1, 2001, and the name of GATX was changed to Kinder Morgan Liquids Terminal LLC ("KMLT"). As part of this transaction, KMLT acquired the Linnton Terminal on February 28, 2001, and has continually owned and operated it since that time.

ConocoPhillips has conducted a reasonable search of its records and found no internal records or documents relating to the Linnton Terminal. All information and data contained in this response came from reviewing various external sources, including the Oregon Department of Environmental Quality (DEQ) records and Kinder Morgan's CERCLA 104(e) response. In the course of its investigation, ConocoPhillips interviewed several employees that had some recollection of Linnton Terminal, but none had direct knowledge of the operations, controls, or other activities that occurred at the terminal during the Phillips Petroleum Company's tenure there.

- 5. Provide a brief summary of Respondent's relationship to each Property listed in response to Question 4 above, including the address, Multnomah County Alternative Tax lot Identification number(s), dates of acquisition, period of ownership, lease, operation, or affiliation, and a brief overview of Respondent's activities at the Properties identified.**

#### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 6. Identify any persons who concurrently with you exercises or exercised actual**

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**control or who held significant authority to control activities at each Property, including:**

- a. partners or joint venturers;**
- b. any contractor, subcontractor, or licensor that exercised control over any materials handling, storage, or disposal activity on the Property; (service contractors, remediation contractors, management and operator contractors, licensor providing technical support to licensed activities);**
- c. any person subleasing land, equipment or space on the Property;**
- d. utilities, pipelines, railroads and any other person with activities and/or easements regarding the Property;**
- e. major financiers and lenders;**
- f. any person who exercised actual control over any activities or operations on the Property;**
- g. any person who held significant authority to control any activities or operations on the Property;**
- h. any person who had a significant presence or who conducted significant activities at the Property; and**
- i. any government entities that had proprietary (as opposed to regulatory) interest or involvement with regard to the activity on the Property.**

#### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome.

Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 7. Identify and describe any legal or equitable interest that you now have, or previously had in each Property. Include information regarding the nature of such interest; when, how, and from whom such interest was obtained; and when, how, and to whom such interest was conveyed, if applicable. In addition, submit copies of all instruments evidencing the acquisition or conveyance of such interest (e.g., deeds, leases, purchase and sale agreements, partnership agreements, etc.).**

#### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is

providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 8. If you are the current owner and/or current operator, did you acquire or operate the Property or any portion of the Property after the disposal or placement of hazardous substances, waste, or materials on, or at the Property? Describe all of the facts on which you base the answer to this question.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Not applicable. Please also refer to the response to Question 4 above.

- 9. At the time you acquired or operated the Property, did you know or have reason to know that any hazardous substance, waste, or material was disposed of on, or at the Property? Describe all investigations of the Property you undertook prior to acquiring the Property and all of the facts on which you base the answer to this question.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 10. Identify all prior owners that you are aware of for each Property identified in Response to Question 4 above. For each prior owner, further identify if known, and provide copies of any documents you may have regarding:**
- a. the dates of ownership;**
  - b. all evidence showing that they controlled access to the Property; and**
  - c. all evidence that a hazardous substance, pollutant, or contaminant, was released or threatened to be released at the Property during the period that they owned the Property.**

### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

11. **Identify all prior operators of the Property, including lessors, you are aware of for each Property identified in response to Question 4 above. For each such operator, further identify if known, and provide copies of any documents you may have regarding:**
- a. **the dates of operation;**
  - b. **the nature of prior operations at the Property;**
  - c. **all evidence that they controlled access to the Property; and**
  - d. **all evidence that a hazardous substance, pollutant, or contaminant was released or threatened to be released at or from the Property during the period that they were operating the Property.**
  - e. **any information or documentation you have regarding but not limited to the following entities:**
    - i. **ConocoPhillips Company**

### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

12. **If not included in response to any of the previous questions, please describe the purpose and duration of each aquatic lands lease Respondent or the operator of Respondent's Property(ies) ever obtained from the State of Oregon and provide a copy of each application for and aquatic lands lease obtained.**

### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is

providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

### **Section 3.0 Description of Each Property**

#### **13. Provide the following information about each Property identified in response to Question 4:**

- a. property boundaries, including a written legal description;**
- b. location of underground utilities (telephone, electrical, sewer, water main, etc.);**
- c. location of all underground pipelines whether or not owned, controlled or operated by you;**
- d. surface structures (e.g., buildings, tanks, pipelines, etc.);**
- e. over-water structures (e.g., piers, docks, cranes, etc.);**
- f. dry wells;**
- g. treatment or control devices (e.g., surface water, air, groundwater, Resource Conservation and Recovery Act (RCRA), Transfer, Storage, or Disposal (TSD), etc.);**
- h. groundwater wells, including drilling logs;**
- i. storm water drainage system, and sanitary sewer system, past and present, including septic tank(s) and where, when and how such systems are emptied and maintained;**
- j. subsurface disposal field(s), Underground Injection Control (UIC) wells, and other underground structures (e.g., underground storage tanks (USTs); and where they are located, if they are still used, and how they were closed;**
- k. any and all major additions, demolitions or changes on, under or about the Property, its physical structures or to the property itself (e.g., stormwater drainage, excavation work); and any planned additions, demolitions or other changes to the Property;**
- l. all maps and drawings of the Property in your possession; and**
- m. all aerial photographs of the Property in your possession.**

#### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 14. For Properties adjacent to the Willamette River, provide specific information describing the river-ward boundary of private ownership and where state aquatic lands and/or state-management jurisdiction begins. Provide a map that delineates the river-ward boundary of each Property.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 15. For each Property, provide all reports, information or data you have related to soil, water (ground and surface), or air quality and geology/hydrogeology at and about each Property. Provide copies of all documents containing such data and information, including both past and current aerial photographs as well as documents containing analysis or interpretation of such data.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 16. Identify all past and present solid waste management units or areas where materials are or were in the past managed, treated, or disposed (e.g., waste piles, landfills, surface impoundments, waste lagoons, waste ponds or pits, tanks, container storage areas, etc.) on each Property. For each such unit or area, provide the following information:**
- a. a map showing the unit/area's boundaries and the location of all known units/areas whether currently in operation or not. This map should be drawn to scale, if possible, and clearly indicate the location and size of all past and present units/areas;**
  - b. dated aerial photograph of the site showing each unit/area;**
  - c. the type of unit/area (e.g., storage area, landfill, waste pile, etc.), and the dimensions of the unit/area;**

- d. the dates that the unit/area was in use;
- e. the purpose and past usage (e.g., storage, spill containment, etc.);
- f. the quantity and types of materials (hazardous substances and any other chemicals) located in each unit/area; and
- g. the construction (materials, composition), volume, size, dates of cleaning, and condition of each unit/area.

#### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 17. If the unit/area described above is no longer in use, how was such unit/area closed and what actions were taken to prevent or address potential or actual releases of waste constituents from the unit/area.**

#### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 18. For each Property, provide the following information regarding any current or former sewer or storm sewer lines or combined sanitary/storm sewer lines, drains, ditches, or tributaries discharging into the Willamette River:**
- a. the location and nature of each sewer line, drain, ditch, or tributary;
  - b. the date of construction of each sewer line, drain, ditch, or tributary;
  - c. whether each sewer line, or drain was ever connected to a main trunk line;
  - d. whether each sewer line, drain, ditch, or tributary drained any hazardous substance, waste, material or other process residue to the Willamette River; and
  - e. provide any documentation regarding but not limited to the following on any and all outfalls to the Willamette River which are located within the boundaries of the Property(ies). Your response should include, but not be limited to:

- i. the areas serviced by the outfalls; and
- ii. the type of outfall (i.e., storm water or single facility operational).

#### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 19. Provide copies of any stormwater or property drainage studies, including data from sampling, conducted at these Properties on stormwater, sheet flow, or surface water runoff. Also provide copies of any Stormwater Pollution Prevention, Maintenance Plans, or Spill Plans developed for different operations during the Respondent's operation of each Property.**

#### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

#### **Section 4.0 Respondent's Operational Activities**

- 20. Describe the nature of your operations or business activities at each Property. If the operation or business activity changed over time, please identify each separate operation or activity, the dates when each operation or activity was started and, if applicable, ceased.**

#### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

21. At each Property, did you ever use, purchase, generate, store, treat, dispose, or otherwise handle any waste, or material? If the answer to the preceding question is anything but an unqualified "no," identify:

- a. in general terms, the nature and quantity of the waste or material so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled;
- b. the chemical composition, characteristics, physical state (e.g., solid, liquid) of each waste or material so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled;
- c. how each such waste or material was used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you; and
- d. the quantity of each such waste or material used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you.

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

22. **Describe all activities at each Property that was conducted over, on, or adjacent to, the Willamette River. Include in your description whether the activity involved hazardous substances, waste(s), or materials and whether any such hazardous substances, waste(s), or materials were discharged, spilled, disposed of, dropped, or otherwise came to be located in the Willamette River.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

23. **For each Property at which there was or is a mooring facility, dock, wharf or any over-water structure, provide a summary of over-water activities conducted at the structure, including but not limited to, any material loading and unloading operations associated with vessels, materials handling and storage practices, ship**

**berthing and anchoring, ship fueling, and ship building, retrofitting, maintenance, and repair.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 24. Describe all activities conducted on leased aquatic lands at each Property. Include in your description whether the activity involved hazardous substances, waste(s), or materials and whether any such hazardous substances, waste(s), or materials were discharged, spilled, disposed of, dropped, or otherwise came to be located on such leased aquatic lands.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 25. Please describe the years of use, purpose, quantity, and duration of any application of pesticides or herbicides on each Property during the period of investigation (1937 to the present). Provide the brand name of all pesticides or herbicides used.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 26. Describe how wastes transported off the Property for disposal are and ever were handled, stored, and/or treated prior to transport to the disposal facility.**

### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

**27. Has Respondent ever arranged for disposal or treatment or arranged for transportation for disposal or treatment of materials to any Property (including the Willamette River) within the Investigation Area? If so, please identify every Property that Respondent's materials were disposed or treated at in the Investigation Area. In addition, identify:**

- a. the persons with whom the Respondent made such arrangements;**
- b. every date on which Respondent made such arrangements;**
- c. the nature, including the chemical content, characteristics, physical state (e.g., solid, liquid), and quantity (volume and weight) of all materials involved in each such arrangement;**
- d. in general terms, the nature and quantity of the non- hazardous materials involved in each such arrangement;**
- e. in general terms, the nature and quantity of any hazardous materials involved in each such arrangement;**
- f. the owner of the materials involved in each such arrangement, if not Respondent;**
- g. all tests, analyses, analytical results or manifests concerning each hazardous material involved in such transactions;**
- h. the address(es) for each Property, precise locations at which each material involved in such transactions actually was disposed or treated;**
- i. the owner or operator of each facility at which hazardous or non-hazardous materials were arranged to be disposed at within the Investigation Area;**
- j. who selected the location to which the materials were to be disposed or treated;**
- k. who selected the Property as the location at which hazardous materials were to be disposed or treated; and**
- l. any records of such arrangement(s) and each shipment.**

### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is

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providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 28. Describe the plants and other buildings or structures where Respondent carried out its operations at each Property within the Investigation Area (excluding locations where ONLY clerical/office work was performed).**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 29. Provide a schematic diagram or flow chart that fully describes and/or illustrates the Respondent's operations on each Property.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 30. Provide a brief description of the nature of Respondent's operations at each location on each Property including:**
- a. the date such operations commenced and concluded; and**
  - b. the types of work performed at each location, including but not limited to the industrial, chemical, or institutional processes undertaken at each location.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 31. If the nature or size of Respondent's operations changed over time, describe those changes and the dates they occurred.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 32. List the types of raw materials used in Respondent's operations, the products manufactured, recycled, recovered, treated, or otherwise processed in these operations.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 33. Provide copies of Material Safety Data Sheets (MSDS) for materials used in the Respondent's operations.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 34. Describe the cleaning and maintenance of the equipment and machinery involved in these operations, including but not limited to:**
- a. the types of materials used to clean/maintain this equipment/machinery;**
  - b. the monthly or annual quantity of each such material used;**

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- c. the types of materials spilled in Respondent's operations;
- d. the materials used to clean up those spills;
- e. the methods used to clean up those spills; and
- f. where the materials used to clean up those spills were disposed of.

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

**35. Describe the methods used to clean up spills of liquid or solid materials during Respondent's operation.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

**36. For each type of waste (including by-products) from Respondent's operations, including but not limited to all liquids, sludges, and solids, provide the following information:**

- a. its physical state;
- b. its nature and chemical composition;
- c. its color;
- d. its odor;
- e. the approximate monthly and annual volumes of each type of waste (using such measurements as gallons, cubic yards, pounds, etc.); and
- f. the dates (beginning & ending) during which each type of waste was produced by Respondent's operations.

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is

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providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 37. Provide a schematic diagram that indicates which part of Respondent's operations generated each type of waste, including but not limited to wastes generated by cleaning and maintenance of equipment and machinery and wastes resulting from spills of liquid materials.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 38. Identify all individuals who currently have and those who have had responsibility for Respondent's environmental matters (e.g. responsibility for the disposal, treatment, storage, recycling, or sale of Respondent's wastes). Also provide each individual's job title, duties, dates performing those duties, supervisors for those duties, current position or the date of the individual's resignation, and the nature of the information possessed by such individuals concerning Respondent's waste management.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 39. For each type of waste describe Respondent's contracts, agreements, or other arrangements for its disposal, treatment, or recycling.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is

providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

**40. Provide copies of such contracts and other documents reflecting such agreements or arrangements, including, but not limited to the following:**

- a. state where Respondent sent each type of its waste for disposal, treatment, or recycling;
- b. identify all entities and individuals who picked up waste from Respondent or who otherwise transported the waste away from Respondent's operations (these companies and individuals shall be called "Waste Carriers" for purposes of this Information Request);
- c. if Respondent transported any of its wastes away from its operations, please so indicate;
- d. for each type of waste specify which Waste Carrier picked it up;
- e. indicate the ultimate disposal/recycling/treatment location for each type of waste;
- f. provide all documents indicating the ultimate disposal/recycling/treatment location for each type of waste; and
- g. state the basis for and provide any documents supporting the answer to the previous question.

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

**41. Describe all wastes disposed by Respondent into Respondent's drains including but not limited to:**

- a. the nature and chemical composition of each type of waste;
- b. the dates on which those wastes were disposed;
- c. the approximate quantity of those wastes disposed by month and year;
- d. the location to which these wastes drained (e.g. septic system or storage tank at the Property, pre- treatment plant, Publicly Owned Treatment Works (POTW), etc.); and
- e. whether and what pretreatment was provided.

### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 42. Identify any sewage authority or treatment works to which Respondent's waste was sent.**

### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 43. Describe all settling tank, septic system, or pretreatment system sludges or other treatment wastes resulting from Respondent's operations.**

### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 44. If applicable, describe the facilities, processes and methods Respondent or Respondent's contractor used, and activities engaged in, either currently or in the past, related to ship building, retrofitting, maintenance or repair, including, but not limited to, dry-docking operations, tank cleaning, painting and re-powering.**

### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

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Please refer to the response to Question 4 above

- 45. Describe any hazardous substances, wastes, or materials used or generated by the activities described in response to the previous Question and how these hazardous substances, materials and wastes were released or disposed of.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above

- 46. Provide copies of any records you have in your possession, custody or control relative to the activities described in response to the previous two Questions.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above

- 47. Describe any process or activity conducted on a Property identified in response to Question 4 involving the acquisition, manufacture, use, storage, handling, disposal or release or threatened release of polychlorinated biphenyl(s) ("PCB(s)" or PCB(s)-containing materials or liquids.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above

- 48. For each process or activity identified in response to the previous Question, describe the dates and duration of the activity or process and the quantity and type of PCB(s) or PCB(s) containing materials or liquids.**

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### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 49. For each process or activity identified in response to the previous two Questions, identify the location of the process or activity on the property.**

### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above

## **Section 5.0 Regulatory Information**

- 50. Identify all federal, state and local authorities that regulated the owner or operator of each Property and/or that interacted with the owner or operator of each Property. Your response is to address all interactions and in particular all contacts from agencies/departments that dealt with health and safety issues and/or environmental concerns.**

### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 51. Describe all occurrences associated with violations, citations, deficiencies, and/or accidents concerning each Property during the period being investigated related to health and safety issues and/or environmental concerns. Provide copies of all documents associated with each occurrence described.**

### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 52. Provide a list of all local, state and federal environmental permits ever issued to the owner or operator on each Property (e.g., RCRA permits, NPDES permits, etc.). Please provide a copy of each federal and state permit, and the applications for each permit, ever issued to the owner or operator on each Property.**

### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 53. Did the owner or operator ever file a Hazardous Waste Activity Notification under the RCRA? If so, provide a copy of such notification.**

### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 54. Did the owner or operator's facility on each Property ever have "interim status" under the RCRA? If so, and the facility does not currently have interim status; describe the circumstances under which the facility lost interim status.**

### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is

providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

**55. Provide all RCRA Identification Numbers issued to Respondent by EPA or a state for Respondent's operations.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

**56. Identify all federal offices to which Respondent has sent or filed hazardous substance or hazardous waste information. State the years during which such information was sent/filed.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

**57. Identify all state offices to which Respondent has sent or filed hazardous substance or hazardous waste information. State the years during which such information was sent/filed.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 58. List all federal and state environmental laws and regulations under which Respondent has reported to federal or state governments, including but not limited to: Toxic Substances Control Act, 15 U.S.C. Sections 2601 et seq., (TSCA); Emergency Planning and Community Right-to-Know Act, 42 U.S.C. Sections 1101 et seq., (EPCRA); and the Clean Water Act (the Water Pollution Prevention and Control Act), 33 U.S.C. Sections 1251 et seq., Oregon Hazardous Substance Remedial Action Law, ORS 465.315, Oregon Water Quality law, ORS Chapter 468(b), Oregon Hazardous Waste and Hazardous Materials law, ORS Chapters 465 and 466, or Oregon Solid Waste law, ORS Chapter 459. Provide copies of each report made, or if only oral reporting was required, identify the federal and state offices to which such report was made.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 59. Provide a copy of any registrations, notifications, inspections or reports required by the Toxic Substances Control Act, 15 USC § 2601 et seq., or state law, to be maintained or submitted to any government agency, including fire marshal(s), relating to PCB(s) or PCB(s) containing materials or liquids on any Property identified in response to Question 4.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 60. Has Respondent or Respondent's contractors, lessees, tenants, or agents ever contacted, provided notice to, or made a report to the Oregon Department of State Lands ("DSL") or any other state agency concerning an incident, accident, spill, release, or other event involving Respondent's leased state aquatic lands? If so, describe each incident, accident, spill, release, or other event and provide copies of all communications between Respondent or its agents and DSL or the other state agency and all documents that were exchanged between Respondent, its agents and DSL or other state agency.**

### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 61. Describe all notice or reporting requirements to DSL that you had under an aquatic lands lease or state law or regulation regarding incidents affecting, or activities or operations occurring on leased aquatic lands. Include the nature of the matter required to be reported and the office or official to whom the notice or report went to. Provide copies of all such notices or reports.**

### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

## **Section 6.0 Releases and Remediation**

- 62. Identify all leaks, spills, or releases into the environment of any waste, including petroleum, hazardous substances, pollutants, or contaminants, that have occurred at or from each Property, which includes any aquatic lands owned or leased by Respondent. In addition, identify, and provide copies of any documents regarding:**
- a. when such releases occurred;**
  - b. how the releases occurred (e.g. when the substances were being stored, delivered by a vendor, transported or transferred (to or from any tanks, drums, barrels, or recovery units), and treated);**
  - c. the amount of each hazardous substances, pollutants, or contaminants so released;**
  - d. where such releases occurred;**
  - e. any and all activities undertaken in response to each such release or threatened release, including the notification of any agencies or governmental units about the release;**

- f. any and all investigations of the circumstances, nature, extent or location of each release or threatened release including, the results of any soil, water (ground and surface), or air testing undertaken;
- g. all persons with information relating to these releases; and
- h. list all local, state, or federal departments or agencies notified of the release, if applicable.

#### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 63. Was there ever a spill, leak, release or discharge of waste, including petroleum, or hazardous substances, pollutant or contaminant into any subsurface disposal system or floor drain inside or under a building on the Property? If the answer to the preceding question is anything but an unqualified "no", identify:**
- a. where the disposal system or floor drains were located;
  - b. when the disposal system or floor drains were installed;
  - c. whether the disposal system or floor drains were connected to pipes;
  - d. where such pipes were located and emptied;
  - e. when such pipes were installed;
  - f. how and when such pipes were replaced, or repaired; and
  - g. whether such pipes ever leaked or in any way released such waste or hazardous substances into the environment.

#### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 64. Has any contaminated soil ever been excavated or removed from the Property? Unless the answer to the preceding question is anything besides an unequivocal "no", identify and provide copies of any documents regarding:**

- a. amount of soil excavated;

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- b. location of excavation presented on a map or aerial photograph;
- c. manner and place of disposal and/or storage of excavated soil;
- d. dates of soil excavation;
- e. identity of persons who excavated or removed the soil, if other than a contractor for Respondent;
- f. reason for soil excavation;
- g. whether the excavation or removed soil contained hazardous substances, pollutants or contaminants, including petroleum, what constituents the soil contained, and why the soil contained such constituents;
- h. all analyses or tests and results of analyses of the soil that was removed from the Property;
- i. all analyses or tests and results of analyses of the excavated area after the soil was removed from the Property; and
- j. all persons, including contractors, with information about (a) through (i) of this request.

#### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 65. Have you ever tested the groundwater under your Property? If so, please provide copies of all data, analysis, and reports generated from such testing.**

#### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 66. Have you treated, pumped, or taken any kind of response action on groundwater under your Property? Unless the answer to the preceding question is anything besides an unequivocal "no", identify and provide copies of any documents regarding:**

- a. reason for groundwater action;**

- b. whether the groundwater contained hazardous substances, pollutants or contaminants, including petroleum, what constituents the groundwater contained, and why the groundwater contained such constituents;
- c. all analyses or tests and results of analyses of the groundwater;
- d. if the groundwater action has been completed, describe the basis for ending the groundwater action; and
- e. all persons, including contractors, with information about (a) through (c) of this request.

### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 67. Was there ever a spill, leak, release or discharge of a hazardous substance, waste, or material into the Willamette River from any equipment, structure, or activity occurring on, over, or adjacent to the river? If the answer to the preceding question is anything but an unequivocal "no", identify and provide copies of any documents regarding:**
- a. the nature of the hazardous substance, waste, or material spilled, leaked, released or discharged;
  - b. the dates of each such occurrence;
  - c. the amount and location of such release;
  - d. were sheens on the river created by the release;
  - e. was there ever a need to remove or dredge any solid waste, bulk product, or other material from the river as a result of the release? If so, please provide information and description of when such removal/dredging occurred, why, and where the removed/dredged materials were disposed.

### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 68. For any releases or threatened releases of PCB(s), identify the date, quantity, location and type of PCB(s), or PCB(s) containing materials or liquids, and the nature of any response to or cleanup of the release.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 69. For any releases or threatened releases of PCB(s) and/or PCB(s) containing materials or liquids, identify and provide copies of any documents regarding the quantity and type of waste generated as a result of the release or threatened release, the disposition of the waste, provide any reports or records relating to the release or threatened release, the response or cleanup and any records relating to any enforcement proceeding relating to the release or threatened release.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

**Section 7.0 Property Investigations**

- 70. Provide information and documentation concerning all inspections, evaluations, safety audits, correspondence and any other documents associated with the conditions, practices, and/or procedures at the Property concerning insurance issues or insurance coverage matters.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is

providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 71. Describe the purpose for, the date of initiation and completion, and the results of any investigations of soil, water (ground or surface), sediment, geology, and hydrology or air quality on or about each Property. Provide copies of all data, reports, and other documents that were generated by you or a consultant, or a federal or state regulatory agency related to the investigations that are described.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 72. Describe any remediation or response actions you or your agents or consultants have ever taken on each Property either voluntarily or as required by any state or federal agency. If not otherwise already provided under this Information Request, provide copies of all investigations, risk assessments or risk evaluations, feasibility studies, alternatives analysis, implementation plans, decision documents, monitoring plans, maintenance plans, completion reports, or other document concerning remediation or response actions taken on each Property.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

- 73. Are you or your consultants planning to perform any investigations of the soil, water (ground or surface), geology, hydrology, and/or air quality on or about the Property? If so, identify:**
- a. what the nature and scope of these investigations will be;**
  - b. the contractors or other persons that will undertake these investigations;**
  - c. the purpose of the investigations;**

- d. the dates when such investigations will take place and be completed; and
- e. where on the Property such investigations will take place.

#### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

#### **Section 8.0 Corporate Information**

**74. Provide the following information, when applicable, about you and/or your business(es) that are associated with each Property identified in response to Question 4:**

- a. state the current legal ownership structure (e.g., corporation, sole proprietorship);
- b. state the names and current addresses of current and past owners of the business entity or, if a corporation, current and past officers and directors;
- c. discuss all changes in the business' legal ownership structure, including any corporate successorship, since the inception of the business entity. For example, a business that starts as a sole proprietorship, but then incorporates after a few years, or a business that is subsequently acquired by and merged into a successor. Please include the dates and the names of all parties involved;
- d. the names and addresses of all current or past business entities or subsidiaries in which you or your business has or had an interest that have had any operational or ownership connection with the Properties identified in response to Question 4. Briefly describe the business activities of each such identified business entities or subsidiaries; and
- e. if your business formerly owned or operated a Property identified in response to Question 4, describe any arrangements made with successor owners or operators regarding liability for environmental contamination or property damage.

#### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is

providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

**75. List all names under which your company or business has ever operated and has ever been incorporated. For each name, provide the following information:**

- a. whether the company or business continues to exist, indicating the date and means by which it ceased operations (e.g., dissolution, bankruptcy, sale) if it is no longer in business;**
- b. names, addresses, and telephone numbers of all registered agents, officers, and operations management personnel; and**
- c. names, addresses, and telephone numbers of all subsidiaries, unincorporated divisions or operating units, affiliates, and parent corporations if any, of the Respondent.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

**76. Provide all copies of the Respondent's authority to do business in Oregon. Include all authorizations, withdrawals, suspensions and reinstatements.**

**Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

**77. If Respondent is, or was at any time, a subsidiary of, otherwise owned or controlled by, or otherwise affiliated with another corporation or entity, then describe the full nature of each such corporate relationship, including but not limited to:**

- a. a general statement of the nature of relationship, indicating whether or not the affiliated entity had, or exercised, any degree of control over the daily**

operations or decision-making of the Respondent's business operations at the Site;

- b. the dates such relationship existed;
- c. the percentage of ownership of Respondent that is held by such other entity(ies);
- d. for each such affiliated entity provide the names and complete addresses of its parent, subsidiary, and otherwise affiliated entities, as well as the names and addresses of each such affiliated entity's officers, directors, partners, trustees, beneficiaries, and/or shareholders owning more than five percent of that affiliated entity's stock;
- e. provide any and all insurance policies for such affiliated entity(ies) which may possibly cover the liabilities of the Respondent at each Property; and
- f. provide any and all corporate financial information of such affiliated entities, including but not limited to total revenue or total sales, net income, depreciation, total assets and total current assets, total liabilities and total current liabilities, net working capital (or net current assets), and net worth.

#### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

78. If Respondent is a partnership, please describe the partnership and provide a history of the partnership's existence. Provide a list of all current and past partners of any status (e.g., general, limited, etc.) and provide copies of all documents that created, govern, and otherwise rules the partnership, including any amendments or modifications to any of the originals of such documents, and at least five years of partnership meeting minutes.

#### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.

### **Section 9.0 Compliance With This Request**

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**79. Describe all sources reviewed or consulted in responding to this request, including, but not limited to:**

- a. the name and current job title of all individuals consulted;**
- b. the location where all sources reviewed are currently reside; and**
- c. the date consulted.**

**Supplemental Response**

Please refer to the response to Question 4 above.

**80. If not already provided, identify and provide a last known address or phone number for all persons, including Respondent's current and former employees or agents, other than attorneys, who have knowledge or information about the generation, use, purchase, storage, disposal, placement, or other handling of hazardous materials at, or transportation of hazardous substances, waste, or materials to or from, each Property identified in response to Question 4.**

**Supplemental Response**

Please refer to the response to Question 4 above.

**81. If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide us with the following:**

- a. the document retention policy between 1937 and the present;**
- b. the approximate date of destruction;**
- c. a description of the type of information that would have been contained in the documents;**
- d. the name, job title and most current address known by you of the person(s) who would have produced these documents; the person(s) who would have been responsible for the retention of these documents; the person(s) who would have been responsible for destroying the documents; and the person(s) who had and/or still have the originals or copies of these documents; and**
- e. the names and most current addresses of any person(s) who may possess documents relevant to this inquiry.**

**Supplemental Response**

Please refer to the response to Question 4 above.

**82. Provide a description of all records available to you that relate to all of the questions in this request, but which have not been included in your responses.**

### **Supplemental Response**

In addition to the General Objections set forth above, ConocoPhillips objects to this request as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Notwithstanding the foregoing, and without any waiver of its objections, ConocoPhillips is providing EPA with certain additional information and documents that contain information related to Linnton Terminal.

Please refer to the response to Question 4 above.